

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, March 5, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

Page 1 of 7

NEW CASES

- V-03-349** Application of **Kenneth B. Saunders** for a special exception from the zoning regulations for an addition to an existing, legally nonconforming duplex. Application also seeks a variance from the zoning regulations to reduce the west side yard setback from the required 7 feet to 4 feet, for said addition. Property is located at **315 10th Street, N.E. (a.k.a. 315, 317 & 319 10th Street, N.E.)**, and fronts 50 feet on the south side of 10th Street, beginning 150 feet from the southeast corner of 10th Street and Argonne Avenue. Land Lot 54 of the 17th District, Fulton County, Georgia.
Owner: Kenneth B. Saunders
Council District 6, NPU-E
- V-03-417** Application of **Laura Wills** for variances from the zoning regulations to 1) reduce the front yard setback from the required 35 feet to 1 foot, 9 inches, 2) reduce the north side yard setback from the required 7 feet to 2 feet, 1 inch, and 3) reduce the rear yard setback from the required 15 feet to 2 feet, 3 inches, for construction of a second story addition to a single-family, detached house. Property is located at **150 GIBSON STREET, S.E.**, and fronts 47.7 feet on the east side of Gibson Street, beginning 67.3 feet from the northeast corner of Gibson Street and Maudlin Street. Zoned R-4 (Single-Family Residential) District. Land Lot 13 of the 14th District, Fulton County, Georgia.
Owner: Laura Wills
Council District 5, NPU-N
- V-03-418** Appeal by **Jonathan Lathbury** of a decision of an administrative officer (i.e., staff person) of the Bureau of Buildings to issue a building permit for a 6-foot high wooden wall along a property line that appellant claims is in dispute, and where appellant claims a driveway easement would be subverted. Property subject to appeal is located at **1138 NORTH HIGHLAND AVENUE, N.E.**, and fronts 55 feet on the west side of N. Highland Avenue, beginning at the southwest corner of N. Highland Avenue and Highland Terrace. Zoned R-4 (Single-Family Residential) District. Land Lot 1 of the 17th District, Fulton County, Georgia.
Owners of Property Subject to Appeal: Kelly Fortin and Randall Guensler
Council District 6, NPU-F
- V-04-01** Application of **Leon Gaston** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 15 feet to 12 feet, for construction of a one-story addition to a single-family, detached house. Property is located at **1207 MERLIN AVENUE, S.E.**, and fronts 40 feet on the south side of Merlin Avenue, beginning at the southeast corner of Merlin Avenue and Mortimer Street. Zoned R-4A (Single-Family Residential) District. Land Lot 208 of the 15th District, DeKalb County, Georgia.
Owners: Leon and Belinda Gaston
Council District 5, NPU-O

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, March 5, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

Page 2 of 7

- V-04-02** Application of **Lloyd Hammond** for **Mt. Zion Baptist Church** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 15 feet to 5 feet, for construction of a parking lot. Property is located at **2561 JAMES DRIVE, N.W.**, and fronts 210 feet on the north side of James Drive, beginning at the northwest corner of James Drive and Fifth Street. Zoned R-4A (Single-Family Residential) District. Land Lot 249 of the 17th District, Fulton County, Georgia.
Owner: Lloyd Hammond
Council District 9, NPU-G
- V-04-03** Application of **Donald A. Harte, Jr.** for a special exception from the zoning regulations to provide access to a property from an alley whereas an independent driveway from a public street is otherwise required. Property is located at **98 HOWARD STREET, N.E.**, and fronts 55 feet on the west side of Howard Street, beginning 50 feet from the northwest corner of Howard Street and Hallman Street. Zoned R-4A (Single-Family Residential) District. Land Lot 206 of the 15th District, DeKalb County, Georgia.
Owner: Donald A. Hart, Jr.
Council District 5, NPU-O
- V-04-04** Application of **Lisa Wong Bouldin** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 2 feet, for construction of a second story addition to a single-family, detached house. Property is located at **636 DARLINGTON CIRCLE, N.E.**, and fronts 85 feet on the north side of Darlington Circle, beginning 565 feet from the southwest corner of Darlington Circle and Burke Road. Zoned R-4 (Single-Family Residential) District. Land Lot 47 of the 17th District, Fulton County, Georgia.
Owners: Lisa Wong Bouldin and Claiborne Bouldin
Council District 7, NPU-B
- V-04-05** Application of **Katie Durham and Michael Schatz** for a variance from the zoning regulations to reduce the front yard setback from the required 30 feet to 20 feet, for construction of a second story addition to a single-family, detached house. Property is located at **496 GREENWOOD AVENUE, N.E.**, and fronts 70 feet on the north side of Greenwood Avenue, beginning 70 feet from the northeast corner of Greenwood Avenue and Volado Way. Zoned R-5 (Two-Family Residential) District. Land Lot 48 of the 14th District, Fulton County, Georgia.
Owners: Katie Durham and Michael Schatz
Council District 6, NPU-E
- V-04-06** Application of **Arri Eisen** for a variance from the zoning regulations to reduce the half-depth front yard setback from the required 15 feet to 8 feet, for construction of a one-story addition to a single-family, detached house. Property is located at **278 CONNECTICUT AVENUE, N.E.**, and fronts 45 feet on the west side of Connecticut Avenue, beginning at the southwest corner of Connecticut Avenue and New York Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 211 of the 15th District, DeKalb County, Georgia.
Owner: Arri Eisen
Council District 6, NPU-N

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, March 5, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

Page 3 of 7

- V-04-07** Application of **Stanley Kanor** for a variance from the zoning regulations to reduce the rear yard setback from the required 30 feet to 5 feet, for construction of an accessory building (i.e., a pool pavilion). Property is located at **3571 TUXEDO PARK DRIVE, N.W.**, and fronts 253.2 feet on the east side of Tuxedo Park Drive, beginning 1,029.6 feet from the southeast corner of Tuxedo Park Drive and Tuxedo Road. Zoned R-2 (Single-Family Residential) District. Land Lot 141 of the 17th District, Fulton County, Georgia.
Owner: Stanley Kanor
Council District 8, NPU-A
- V-04-08** Application of **Iana Shusman** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 15 feet to 8 feet, and to 2) increase the lot coverage from the maximum allowed of 35% to 44%, for construction of a first-floor addition to a single-family, detached house (lot coverage is currently 44% and would remain the same after construction of the addition). Property is located at **35 MUSCOGEE AVENUE, N.W.**, and fronts 100 feet on the west side of Muscogee Avenue, beginning 400 feet from the southwest corner of Muscogee Avenue and Peachtree Road. Zoned R-2A (Single-Family Residential) District. Land Lot 112 of the 17th District, Fulton County, Georgia.
Owner: Daniel A. Dodson
Council District 8, NPU-B
- V-04-09** Application of **John and Margaret Long** for variances from the zoning regulations to 1) reduce the front yard setback from the required 50 feet to 35 feet for construction of first story addition, and 2) reduce the west side yard setback from the required 10 feet to 5 feet, to enclose an existing carport for use as a garage. Property is located at **2572 BROOKDALE DRIVE, N.W.**, and fronts 125 feet on the northeast side of Brookdale Drive, beginning 670 feet from the northeast corner of Brookdale Drive and Manor Ridge Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 144 of the 17th District, Fulton County, Georgia.
Owners: John and Margaret Long
Council District 8, NPU-C
- V-04-10** Application of **Weldmann & Associates** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 10 feet to 6 feet, 6 inches, and 2) reduce the south side yard setback from the required 10 feet to 9 feet, 6 inches, for construction of a second story addition to a single-family, detached house. Property is located at **4436 REID LANE, N.W.**, and fronts 105.35 feet on the west side of Reid Lane, beginning 248.3 feet from the southwest corner of Reid Lane and Chochran Drive. Zoned R-3 (Single-Family Residential) District. Land Lot 138 of the 17th District, Fulton County, Georgia.
Owner: Wendell E. Prescott, Jr.
Council District 8, NPU-A

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, March 5, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

Page 4 of 7

- V-04-11** Application of **Barry Wright** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 5 feet, and 2) reduce the front yard setback from the required 35 feet to 33 feet, for construction of a second story addition to a single-family, detached house. Property is located at **973 HIGHLAND VIEW, N.E.**, and fronts 50 feet on the south side of Highland View, beginning 715 feet from the southwest corner of Highland View and N. Highland Avenue. Zoned R-4 (Single-Family Residential) District. Land Lot 15 of the 14th District, Fulton County, Georgia.
Owner: Elise R. Zeiger
Council District 6, NPU-F
- V-04-12** Application of **Robin Valls** for variances from the zoning regulations to 1) reduce the rear yard setback from the required 20 feet to 10 feet, and 3) increase the lot coverage above the maximum allowed of 40%, for construction of an accessory building (i.e., a two-stall horse barn). Property is located at **919 PEACHTREE BATTLE CIRCLE, N.E.**, and fronts 469.4 feet on the west side of Peachtree Battle Circle, beginning 381.6 feet from the southwest corner of Peachtree Battle Circle and Peachtree Battle Avenue. Zoned R-3 (Single-Family Residential) District. Land Lot 184 of the 17th District, Fulton County, Georgia.
Owners: Robin and Guillermo Valls
Council District 8, NPU-C
- V-04-13** Application of **William Verner** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 10 feet to 7 feet and 2) reduce the front yard setback from the required 50 feet to 40 feet, for construction of living space in an attic, and to 3) increase the lot coverage from the maximum allowed of 40% to 45%, for construction of a new driveway, patio, and deck, and retaining walls and walkways. Property is located at **2376 ALTON ROAD, N.W.**, and fronts 95 feet on the west side of Alton Road, beginning 250 feet from the northwest corner of Alton road and Woodward Way. Zoned R-3 (Single-Family Residential) District. Land Lot 145 of the 17th District, Fulton County, Georgia.
Owners: William H. Verner and Dorothy E. Hamilton
Council District 8, NPU-C
- V-03-14** Application of **Michael D. Alexander** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 3 feet, 6 inches, 2) reduce the north side yard setback from the required 7 feet to 3 feet, 6 inches, and 3) reduce the front yard setback from the from the required 30 feet to 16 feet, for construction of a second story addition to a single-family, detached house. Property is located at **61 CHESTER AVENUE, S.E.**, and fronts 36.7 feet on the west side of Chester Avenue, beginning 82 feet from the southwest corner of Chester Avenue and Wylie Street. Zoned R-5 (Two-Family Residential) District. Land Lot 20 of the 14th District, Fulton County, Georgia.
Owner: Michael D. Alexander
Council District 5, NPU-N

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, March 5, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

Page 5 of 7

- V-03-15** Application of **Susan LeCraw** for a variance from the zoning regulations to reduce the rear yard setback from the required 20 feet to 10 feet, for construction of second and third story additions to an accessory building (i.e. a garage). Property is located at **2985 DEVONSHIRE PLACE, N.W.**, and fronts 95 feet on the north side of *Moore's Mill Road*, beginning at the northeast corner of *Devonshire Place* and *Moore's Mill Road*. Zoned R-3 (Single-Family Residential) District. Land Lots 182 & 193 of the 17th District, Fulton County, Georgia.
Owner: Susan LeCraw
Council District 8, NPU-C
- V-04-16** Application of **Regina Adams** for a variance from the zoning regulations to reduce the east side yard setback from the required 7 feet to 4.8 feet, for construction of a second story addition to a single-family, detached house. Property is located at **2738 TUPELO STREET, S.E.**, and fronts 51 feet on the north side of *Tupelo Street*, beginning 306 feet from the northeast corner of *Tupelo Street* and *Daniel Street*. Zoned R-3 (Single-Family Residential) District. Land Lot 203 of the 15th District, DeKalb County, Georgia.
Owner: Synergy Realty, Inc.
Council District 5, NPU-O
- V-04-47** Application of **John Robinson** for a variance from the zoning regulations to reduce the transitional side yard setback from the required 20 feet to 0 feet, for construction of a restaurant. Property is located at **975 PIEDMONT ROAD, N.E.**, and fronts 46 feet on the east side of *Piedmont Road*, beginning 137.8 feet from the southeast corner of *Piedmont Road* and *Tenth Street*. Zoned SPl-17, Subarea 3 (Piedmont Avenue Special Public Interest District, Residential Subarea). Land Lot 106 of the 17th District, Fulton County, Georgia.
Owner: John Robinson
Council District 6, NPU-E

DEFERRED CASES

- V-03-339** Application of **Kenneth Hagan** for a variance from the zoning regulations to reduce the west side yard setback from the required 7 ft. to 5 ft. for an addition to an existing single-family, detached house. Property is located at **2096 RIDGEDALE ROAD, N.E.**, and fronts 78 feet on the north side of *Ridgedale Road*, beginning at the northwest corner of *Ridgedale Road* and *Branham Avenue*. Zoned R-4 (Single-Family Residential) District. Land Lot 205 of the 15th District, DeKalb County, Georgia.
Owner: Ken and Linda Hagan
Council District 5, NPU-O

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, March 5, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

Page 6 of 7

- V-03-351** Application of **Carver Redevelopment, LLC** for variances from the zoning regulations to 1) reduce the front yard setbacks from the required 40 feet to 15 feet and 2) reduce the half-depth front yard setbacks from the required 20 feet to 15 feet, for a multifamily residential development. Property is located at **178 MOURY AVENUE, S.W.**, and fronts 348.77 feet on the southwest side of Moury Avenue, beginning at the southwest corner of Moury Avenue and Thirkeld Avenue. Zoned RG-2 (Residential General-Sector 2) District. Land Lot 72 of the 14th District, Fulton County, Georgia.
Owner: Housing Authority of the City of Atlanta
Council District 12, NPU-Y
- V-03-357** Application of **Michael Schatz** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 2 feet, 2) reduce the west side yard setback from the required 7 feet to 2 feet, and 3) reduce the front yard setback from the required 30 feet to 17 feet, for construction of one-story and two-story additions and a front porch to a single-family, detached house. Property is located at **448 GREENWOOD AVENUE, N.E.**, and fronts 65 feet on the north side of Greenwood Avenue, beginning 65 feet from the northeast intersection of Greenwood Avenue and Charles Allen Drive. Zoned R-5 (Two-Family Residential) District. Land Lot 48 of the 14th District, Fulton County, Georgia.
Owner: Michael Schatz
Council District 6, NPU-E
- V-03-358** Application of **Kent Ahrenhold** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 0 feet, to allow for reconstruction of a detached garage on a single-family, residential property. Property is located at **788 ARGONNE AVENUE, N.E.**, and fronts 50 feet on the west side of Argonne Avenue, beginning 95 feet from the northwest corner of Argonne Avenue and Fifth Street. Zoned R-5 (Two-Family Residential) District. Land Lot 49 of the 14th District, Fulton County, Georgia.
Owner: Roland Mark Travis
Council District 6, NPU-E
- V-03-365** Application of **Rev. Freddie Woods** for variances from the zoning regulations to 1) reduce the east side yard setback from the required 7 feet to 5 feet, 2) **reduce the rear yard setback from the required 15 feet to 10 feet**, and 3) increase the maximum lot coverage from the required 50% to 90%, and a special exception to reduce the amount of required on-site parking, for construction of a new church. Property is located at **3761 ADAMSVILLE DRIVE, S.W.**, and fronts 150 feet on the north side of Adamsville Drive, beginning 658.6 feet from the northwest corner of Adamsville Drive and Martin Luther King, Jr. Drive. Zoned R-4 (Single-Family Residential) District. Land Lot 14 of the 14th District, Fulton County, Georgia.
Owner: Agape Church of God
Council District 10, NPU-H

AGENDA
CITY OF ATLANTA BOARD OF ZONING ADJUSTMENT
Friday, March 5, 2004 AT 1:00 P.M.
ATLANTA CITY HALL COUNCIL CHAMBER, SECOND FLOOR

Page 7 of 7

- V-03-366** Appeal of **Clear Channel Outdoor, Inc.** of a decision of an administrative officer (i.e., staffperson) of the City of Atlanta to issue a stop work order on a business identification sign upon determination that it was being used as a general advertising sign. Property is located at **220 PHARR ROAD, N.E.**, and fronts 152 feet on the north side of Pharr Road, beginning at the northeast corner of Pharr Road and Bolling Way. Zoned C-3 SPl-(Commercial Residential/Buckhead Commercial Core Special Public Interest District). Land Lot 99 of the 17th District, Fulton County, Georgia.
Owner: Village Properties
Council District 7, NPU-B
- V-03-302** Application of **Michael Capretta** for variances from the zoning regulations to 1) reduce the north side yard setback from the required 7 feet to 1 foot, 2) reduce the rear yard setback from the required 7 feet to 3 feet, and 3) to increase the maximum allowed lot coverage of 50% to 38.6% (existing lot coverage is 57%), for construction of an accessory building. Property is located at **316 CLIFTON ROAD, N.E.**, and fronts 39 feet on the west side of Clifton Road, beginning 252 feet from the northwest corner of Clifton Road and Dekalb Avenue. Zoned R-5 (Two-Family Residential) District. Land Lot 210 of the 15th District, Dekalb County, Georgia.
Owner: Michael Capretta
Council District 5, NPU-N